

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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THE GENERAL HOSPITAL  
CORPORATION and  
DANA-FARBER CANCER  
INSTITUTE, INC.,

Plaintiffs,

v.

ESOTERIX GENETIC  
LABORATORIES, LLC and  
LABORATORY CORPORATION  
OF AMERICA HOLDINGS,

Defendants.

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C.A. No. 1:18-cv-11360-IT

**[PROPOSED] STIPULATED JUDGMENT**

**WHEREAS**, on September 4, 2019, the Honorable Indira Talwani entered a Memorandum and Order granting in part plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute, Inc.’s (collectively “Plaintiffs”) motion for partial summary judgment on Counts I (Breach of Contract) and IV (Accounting/Injunctive Relief) of the Second Amended Complaint as against defendant Esoterix Genetic Laboratories, LLC, and granting in part defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings (a/k/a Laboratory Corporation of America)’s (collectively “Defendants”) motion to dismiss Count V (Reformation of Contract – Mistake) of the Second Amended Complaint as against Plaintiffs (Dkt. No. 133); and

**WHEREAS** the September 4, 2019 Memorandum and Order denied the remainder of Plaintiffs’ motion for partial summary judgment and Defendants’ motion to dismiss; and

**WHEREAS** Plaintiffs and Defendants hereby stipulate to the entry of final judgment on Counts I, IV and V of the Second Amended Complaint and to dismiss the remainder of Count I and Counts II, III, VI, VII of the Second Amended Complaint without prejudice to allow the parties to appeal the September 4, 2019 Memorandum and Order;

**IT IS HEREBY STIPULATED AND AGREED THAT FINAL JUDGMENT** is entered as follows:

This action came on before the Court, Honorable Indira Talwani presiding, and upon consideration, entering the Memorandum and Order dated September 4, 2019 [Dkt. No. 133], it is hereby **ORDERED** and **ADJUDGED** that:

1. Judgment for the plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute, Inc. against the defendant Esoterix Genetic Laboratories, LLC on Count I (Breach of Contract) and Count IV (Accounting/Injunctive Relief) of Plaintiffs' Second Amended Complaint is hereby entered in the sum of \$1,291,427.13, plus pre-judgment interest and post-judgment interest at the rate set forth in Section 4.8 of the Exclusive License Agreement between plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute, Inc. and defendant Esoterix Genetic Laboratories, LLC dated May 2, 2005, and without costs; and

2. Judgment for defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings (a/k/a Laboratory Corporation of America) against plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute, Inc. on Count V (Reformation of Contract – Mistake) is hereby entered.

Dated: \_\_\_\_\_, 2020

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Indira Talwani  
United States District Judge

Respectfully submitted,

Plaintiffs,  
THE GENERAL HOSPITAL  
CORPORATION and  
DANA-FARBER CANCER  
INSTITUTE, INC.

By their attorneys,

/s/ Carolyn M. Crowley

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Defendants,  
ESOTERIX GENETIC LABORATORIES,  
LLC and LABORATORY CORPORATION  
OF AMERICA HOLDINGS,

By their attorneys,

/s/ Christopher R. Howe

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Dated: October 21, 2020